THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO.1181 OF 2002

DISPOSED OF ON 20-09-2005.

BETWEEN:

N.VASUDEV AND ANOTHER …PETITIONERS

AND

THE GOVT. OF A.P. AND OTHERS …RESPONDENTS

THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO.1181 OF 2002

ORDER:

1. This Writ Petition is filed by the petitioners with a prayer to issue a Writ of Mandamus declaring the action of 1st respondent in not allotting and registering the plots in favour of the petitioners herein in S.No.470 of Kapra Municipality, Rangareddy District as illegal and violative of principles of natural justice.

2. The petitioners are members of Dhanalakshmi Cooperative Housing Society Limited registered under A.P. Cooperative Societies Act, 1964. Surplus land of smt.P.Sarojini Naidu has been taken over by the Urban Development authority. Thereafter, the Urban Development Authority got the lay out plan approved and allotted the plots to the members of the said Society. The dispute in this writ petition is relating to four plots. It is the claim of the petitioners that they are entitled for allotment of one plot each.

3. Heard learned counsel for both the parties.

4. The issue involved in the writ petition is with regard to the rights of the petitioners for allotment of plots. Their right of allotment of plot is disputed by the 5th respondent-society (impleaded as per orders of this court dated 1.8.2005 in W.P.M.P.No.27969 of 2004). Since the dispute is between the members interse of the Society, the same is required to be settled under section 61 of A.P.Cooperative Societies Act, 1964. Since the petitioners have statutory remedy under 61 of A.P.Cooperative Societies Act, 1964, this Writ Petition is not maintainable and accordingly the same is hereby dismissed giving liberty to the petitioners to avail the statutory remedy.

Dt: -09-2005. (B.Seshasayana Reddy,J)

Tnb

THE HONOURABLE SRI JUSTICE

B.SESHASAYANA REDDY

WRIT PETITION NO.1181 OF 2002

Dated: -09-2005.